

REMARKS

With this response, claims 1, 6, 17 and 22 are amended. Claims 26-33 are added. Claims 2-5, 7-16, 18-21 and 22-25 are canceled. Therefore, claims 1, 6, 17, 22 and 26-33 are pending.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 1, 6, 17 and 22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action on page 2 asserts that there is no relation between the "receiving" limitation and the remaining limitations of independent claims 1 and 17.

Independent claims 1 and 17 have been amended to recite "receiving a binary sequence of values, the values to be used in an application as a varying-radix sequence of values." The remaining limitations of claims 1 and 17 are directed towards generating said varying-radix sequence of values via a radix unit. Thus, Applicants contend that all limitations of independent claims 1 and 17 (and therefore dependent claims 6 and 22) are clearly related, and therefore respectfully request the withdrawal of this rejection.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 1 and 6 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. The Office Action on page 2 asserts that claims 1 and 6 must be tied to particular machine or transform underlying subject matter to a different state or thing (citing *In re Bilski*, 545 F.3d 943 (Fed.Cir. 2008)).

Applicants have amended independent claim 1 to recite a processor implemented method and subsequent limitations of claim 1 are directed towards generating a varying-radix sequence of values via a radix unit executed by said processor. Therefore, Applicants contend that the limitations of independent claim 1 (and thus, dependent claim 6) are tied to a particular machine. Applicants respectfully request the withdrawal of this rejection.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,158,285 of Heinsen et al. (hereinafter "Heinsen"). Applicants respectfully assert that these claims are not rendered obvious by the cited reference for at least the following reason: the

reference fails to disclose or suggest at least one feature of the invention as recited in the amended independent claims.

Claim 1 as amended recites “**receiving a binary sequence of values**, the values to be used in an application as a varying-radix sequence of values, **the varying-radix sequence of values to represent bit distribution information for the binary sequence of values.**” The remaining limitations of claim 1 are directed towards generating said varying-radix sequence of values. Independent claim 17 as amended recites similar features.

The Office Action on page 4 cites the first full paragraph in col. 2 of Heinsen as disclosing the receiving limitation recited in claims 1 and 17. Applicants respectfully disagree with this conclusion.

Col. 2 lines 16-20 if Heinsen disclose

Time quantities can be entered either in decimal notation as a number of hours, minutes or seconds and fractions thereof or in terms of hours, minutes and seconds separated by colons or in terms of day, month and year separated by slashes. The watch/calculator can **convert between formats** to enable manipulation of the data, no matter what form it is entered in.

Thus, as Applicants have understood the reference, Heinsen discloses a calculator watch that may accept time quantities in either decimal or normal time format (i.e., hours, minutes and seconds), and convert between formats. Applicants contend that accepting and converting time data between decimal and normal time format is simply a value conversion. Converting a value to different formats does not disclose or suggest receiving a **binary sequence of values** and generating a varying-radix sequence of values to represent bit distribution information of said binary sequence of values.

The Office Action on page 4 further cites the second full paragraph in col. 34 of Heinsen as disclosing the receiving limitation recited by the independent claims. Applicants respectfully disagree with this conclusion. Applicants point out that col. 34 lines 21-51 disclose additional examples of value conversion on a calculator watch — e.g., “convert between time format hours, minutes and second and decimal format” (lines 37-39) and changing “between the display format . . . between 12-hour mode time display and 24-hour mode time display.” As stated above, Applicants contend that value conversions fail to disclose or suggest receiving a binary sequence of values and generating a varying-radix sequence of values to represent bit distribution information of said binary sequence of values. In contrast, independent claims 1 and 17 recite

receiving a binary sequence of values, the values to be used in an application as a varying-radix sequence of values, the varying-radix sequence of values to represent bit distribution information for the binary sequence of values. Therefore, Heinsen cannot be cited to disclose or suggest the receiving limitation of independent claim 1 and 17 as amended.

Claims 6 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over "Heinsen" in view of U.S. Patent No. 5,307,173 of Yuen et al. (hereinafter "Yuen"). Yuen is not cited to cure the deficiencies of Heinsen. Nor can Yuen be cited to cure the deficiencies of Heinsen as Yuen contains no disclosures directed towards receiving a binary sequence of values, the values to be used in an application as a varying-radix sequence of values, the varying-radix sequence of values to represent bit distribution information for the binary sequence of values. Whether alone or in combination, these references fail to disclose or suggest at least one feature of the invention as recited in the independent claims. Each of claims 6 and 22 depends from one of the independent claims discussed above. Per MPEP § 2143.03, claims that depend from nonobvious independent claims are likewise nonobvious over the references.

NEW CLAIMS

Apparatus claim 26 has been added. New claim 26 recites similar features as independent claims 1 and 17. Applicants contend that claim 26 is nonobvious over the prior art of record for at least the reasons stated above.

New claims 27-29 and 30-33 each depend from one of the independent claims discussed above. Per MPEP § 2143.03, claims that depend from nonobvious independent claims are likewise nonobvious over the references.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

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Date

/Eric Hiponia/

Eric Hiponia
Reg. No. 62,002
Attorney for Applicants

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(503) 439-8778

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

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/Vivian Lee/
Vivian Lee